

EXPRESSION OF INTEREST

YOU ARE HEREBY INVITED TO BID FOR REQUIREMENTS OF THE (NAME OF DEPARTMENT/ PUBLIC ENTITY)					
BID NUMBER:	SCMU3-18/19-0510-HO	CLOSING DATE:	26 MARCH 2019	CLOSING TIME:	11H00
BID BRIEFING VENUE:	Nelson Mandela Bay Health District, Complex Boardroom, Connyham Road Parsons Hill	BID BRIEFING DATE	11 MARCH 2019	BRIEFING TIME:	11H00
DESCRIPTION	EXPRESSION OF INTEREST FOR PROVISION OF SECURITY SYSTEM FOR NELSON MANDELA BAY HEALTH DISTRICT HOSPITAL, COMMUNITY HEALTH CENTRES AND CLINICS FOR A PERIOD OF 36 MONTHS				
BID RESPONSE DOCUMENTS MAY BE DEPOSITED IN THE BID BOX SITUATED AT (STREET ADDRESS)					
Department of Health E.C : Nelson Mandela Bay Health District					
Conyngham Road, Parsons Hill					
Port Elizabeth					
5057					
BIDDING PROCEDURE ENQUIRIES MAY BE DIRECTED TO			TECHNICAL ENQUIRIES MAY BE DIRECTED TO:		
CONTACT PERSON	Ruben De Vos	CONTACT PERSON	Ruben De Vos		
TELEPHONE NUMBER	041 391 8024	TELEPHONE NUMBER	041 391 8024		
FACSIMILE NUMBER		FACSIMILE NUMBER			
E-MAIL ADDRESS	Ruben.devos@echealth.gov.za	E-MAIL ADDRESS	Ruben.devos@echealth.gov.za		
SUPPLIER INFORMATION					
NAME OF BIDDER					
POSTAL ADDRESS					
STREET ADDRESS					
TELEPHONE NUMBER	CODE		NUMBER		
CELLPHONE NUMBER					
FACSIMILE NUMBER	CODE		NUMBER		
E-MAIL ADDRESS					
VAT REGISTRATION NUMBER					

SUPPLIER COMPLIANCE STATUS	TAX COMPLIANCE SYSTEM PIN:		OR	CENTRAL SUPPLIER DATABASE No:	MAAA
B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE	TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No		B-BBEE STATUS LEVEL SWORN AFFIDAVIT		[TICK APPLICABLE BOX] <input type="checkbox"/> Yes <input type="checkbox"/> No
[A B-BBEE STATUS LEVEL VERIFICATION CERTIFICATE/ SWORN AFFIDAVIT (FOR EMES & QSEs) MUST BE SUBMITTED IN ORDER TO QUALIFY FOR PREFERENCE POINTS FOR B-BBEE]					
ARE YOU THE ACCREDITED REPRESENTATIVE IN SOUTH AFRICA FOR THE GOODS /SERVICES /WORKS OFFERED?	<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES ENCLOSE PROOF]		ARE YOU A FOREIGN BASED SUPPLIER FOR THE GOODS /SERVICES /WORKS OFFERED?		<input type="checkbox"/> Yes <input type="checkbox"/> No [IF YES, ANSWER THE QUESTIONNAIRE BELOW]
QUESTIONNAIRE TO BIDDING FOREIGN SUPPLIERS					
IS THE ENTITY A RESIDENT OF THE REPUBLIC OF SOUTH AFRICA (RSA)? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A BRANCH IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE A PERMANENT ESTABLISHMENT IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO DOES THE ENTITY HAVE ANY SOURCE OF INCOME IN THE RSA? <input type="checkbox"/> YES <input type="checkbox"/> NO IS THE ENTITY LIABLE IN THE RSA FOR ANY FORM OF TAXATION? <input type="checkbox"/> YES <input type="checkbox"/> NO IF THE ANSWER IS "NO" TO ALL OF THE ABOVE, THEN IT IS NOT A REQUIREMENT TO REGISTER FOR A TAX COMPLIANCE STATUS SYSTEM PIN CODE FROM THE SOUTH AFRICAN REVENUE SERVICE (SARS) AND IF NOT REGISTER AS PER 2.3 BELOW.					

PART B
TERMS AND CONDITIONS FOR BIDDING

1. BID SUBMISSION:
1.1. BIDS MUST BE DELIVERED BY THE STIPULATED TIME TO THE CORRECT ADDRESS. LATE BIDS WILL NOT BE ACCEPTED FOR CONSIDERATION.
1.2. ALL BIDS MUST BE SUBMITTED ON THE OFFICIAL FORMS PROVIDED–(NOT TO BE RE-TYPED) OR IN THE MANNER PRESCRIBED IN THE BID DOCUMENT.
1.3. THIS BID IS SUBJECT TO THE PREFERENTIAL PROCUREMENT POLICY FRAMEWORK ACT, 2000 AND THE PREFERENTIAL PROCUREMENT REGULATIONS, 2017, THE GENERAL CONDITIONS OF CONTRACT (GCC) AND, IF APPLICABLE, ANY OTHER SPECIAL CONDITIONS OF CONTRACT.
1.4. THE SUCCESSFUL BIDDER WILL BE REQUIRED TO FILL IN AND SIGN A WRITTEN CONTRACT FORM (SBD7).
2. TAX COMPLIANCE REQUIREMENTS
2.1 BIDDERS MUST ENSURE COMPLIANCE WITH THEIR TAX OBLIGATIONS.
2.2 BIDDERS ARE REQUIRED TO SUBMIT THEIR UNIQUE PERSONAL IDENTIFICATION NUMBER (PIN) ISSUED BY SARS TO ENABLE THE ORGAN OF STATE TO VERIFY THE TAXPAYER'S PROFILE AND TAX STATUS.
2.3 APPLICATION FOR TAX COMPLIANCE STATUS (TCS) PIN MAY BE MADE VIA E-FILING THROUGH THE SARS WEBSITE WWW.SARS.GOV.ZA.
2.4 BIDDERS MAY ALSO SUBMIT A PRINTED TCS CERTIFICATE TOGETHER WITH THE BID.
2.5 IN BIDS WHERE CONSORTIA / JOINT VENTURES / SUB-CONTRACTORS ARE INVOLVED, EACH PARTY MUST SUBMIT A SEPARATE TCS CERTIFICATE / PIN / CSD NUMBER.
2.6 WHERE NO TCS IS AVAILABLE BUT THE BIDDER IS REGISTERED ON THE CENTRAL SUPPLIER DATABASE (CSD), A CSD NUMBER MUST BE PROVIDED.
2.7 NO BIDS WILL BE CONSIDERED FROM PERSONS IN THE SERVICE OF THE STATE, COMPANIES WITH DIRECTORS WHO ARE PERSONS IN THE SERVICE OF THE STATE, OR CLOSE CORPORATIONS WITH MEMBERS PERSONS IN THE SERVICE OF THE STATE."

NB: FAILURE TO PROVIDE / OR COMPLY WITH ANY OF THE ABOVE PARTICULARS MAY RENDER THE BID INVALID.

SIGNATURE OF BIDDER:

CAPACITY UNDER WHICH THIS BID IS SIGNED:

(Proof of authority must be submitted e.g. company resolution)

DATE:

DEPARTMENT OF HEALTH

EXPRESSION OF INTEREST

SCMU3-18/19-000-NMB: PROVISION OF SECURITY SYSTEM FOR NELSON MANDELA BAY HEALTH DISTRICT HOSPITAL, COMMUNITY HEALTH CENTRES AND CLINICS FOR A PERIOD OF 36 MONTHS

The Eastern Cape Department of Health Supply Chain Management Unit (SCMU) hereby invites interested service providers to register and respond to this Expression of Interest (EOI) invitation in providing the Security System for the Nelson Mandela Bay District Hospitals, Community Health Centres and Community Health Clinics. The contract period will be for 36 months.

The department is seeking to invite potential service providers that can contribute to meeting the current demand of security system in the district. **The department reserves the right to call for presentations on the submitted proposals.**

The department reserves a right to conduct in-loco inspections to verify the information submitted on the proposal.

Terms of Reference may be obtained from the departmental Website www.ecdoh.go.za.

Briefing Session: A compulsory briefing session for the related services will be held at the Nelson Mandela Bay Health District Offices, Port Elizabeth on the **11th March 2019 at 11h00-13h00 to clarify the terms of reference of the engagement with prospective bidders.**

Closing Date: The closing date for this Expression of Interest will be **26th March 2019**. Submissions must be placed in the Bid Box at **Supply Chain Management Unit, Nelson Mandela Bay Health District, Port Elizabeth at 11h00 on the closing date.**

TERMS OF REFERENCE

PROVISION OF SECURITY SYSTEM FOR NELSON MANDELA BAY HEALTH DISTRICT HOSPITAL, COMMUNITY HEALTH CENTRES AND CLINICS FOR A PERIOD OF 36 MONTHS

INTRODUCTION

The Department is responsible to ensure provision of effective and efficient 24/7 security system that will provide healthy, safe working environment for employees, patients, visitors and protect government properties and assets through detection of Unauthorised access and trespassing of government premises.

Purpose

The ECDOH guided by PFMA and Supply Chain Regulations invites service providers to submit their expression of interest (EOI) for provision of Security System for the Nelson Mandela Bay Health District institutions.

The department is therefore looking for service providers registered with the Approved Security Industry Regulatory Authority for the following services:

- Installation of *Closed Circuit Television/Video Surveillance Systems* (CCTV) cameras
- Intruder Detector/Alarm Systems (*with panic buttons*)

BACKGROUND

The Nelson Mandela Bay District has institutions that are providing quality health care services to the people of the Metro. Some of the institutions operate during working hours which renders them vulnerable outside office hours. The situation has deteriorated to such an extent that Security Systems were breached, vandalized resulting to medical equipment, medication and computers being stolen. Some facilities have the intruder detection system that is outdated and sometimes not functioning to serve intended purpose of alerting where there is security breach.

Administrative Compliance/ Pre-Qualification

1. The purpose of this Pre-qualification is to determine which bid is compliant and non-compliant with the bid special conditions issued by the ECDOH as part of the bid process.

The following criteria shall apply:

- a. Bidders must attend the **compulsory Bid Briefing & Information Meeting** and be recorded as such in the register. It is the bidder's responsibility to ensure that he/she fills in the attendance register and attach the Briefing Attendance Certificate with the bid.
- b. A bidder must submit a valid Company's **PSIRA** (Private Security Industry Regulatory Authority) registration certificate. **Only New PSIRA certified certificate copies will be accepted. (Certification must not be older than 90 days)**
- c. A bidder must submit a valid Directors registration **New PSIRA certificate**. Only certified copies of this will be accepted. **(Certification must not be older than 90 days)**
- d. Bidders must be registered with the **SAIDSA** (South African Intruder Detection Services Association).
- e. A bidder must submit a valid **letter of Good Standing** issued by PSIRA.
- f. A bidder must submit, from the Department of Labour, a valid **COIDA** certificate.(Compensation of Occupational Injury and Diseases act)
- g. A bidder must submit, from the Department of Labour, a valid certificate of compliance for UIF (Unemployment Insurance Fund).

FAILURE TO COMPLY WITH THE ABOVE INFORMATION WILL INVALIDATE YOUR BID.

- i. The Department of Health reserves the right to verify the information requested with the Private Security Industry Regulatory Authority (**PSIRA**) or any other relevant entity or visit the premises of the bidder at any time without notice. Any information received which does not reflect the one

provided on the bid document will render the bid null and void. The ECDOH will not be liable for any inaccurate information supplied.

- m. Only registered service providers will be considered. The bidder whose registration is in process or has been suspended or withdrawn by PSIRA at the time of submission of the bid documents will be disqualified.
- n. Bidders must be registered with the National Treasury Centralised Supplier Database (CSD) and furnish proof of registration with the bid.

TECHNICAL REQUIREMENTS FOR THE SECURITY SYSTEM

1. Which electronic security systems related qualification attained by the senior technician/s?

NAME OF QUALIFICATION	UNIT STANDARDS (SASSETA)	SAQA	NQF LEVEL

Which electronic security systems related qualification attained by the installer?

NAME OF QUALIFICATION	UNIT STANDARDS (SASSETA)	SAQA	NQF LEVEL

2. Professional Registration (Membership)?

NAME OF INSTITUTE/ASSOCIATION/REGULATOR	MEMBERSHIP NUMBER	ACCREDITATION NUMBER	DATE OF REGISTRATION

3. Experience in electronic security industry in years (tick relevant box)?

ELEMENTS	1-3 YEARS	4-6 YEARS	7-10 YEARS	11-13 YEARS	13-16 YEARS	17+ YEARS
1. Surveillance (IP Cameras Installation)						
2. Access Control						
3. Control Room Layout and Design						
4. Back-Up Power Supply System (UPS)						
5. Intrusion Detection/Alarm Solution						
6. Post Implementation Support Mechanism						
6.1 Maintenance						
6.2 Warranty						
6.2 Training						

ELEMENTS	SPECIFICATION	DATA SHEET
1. SURVEILLANCE IP CAMERAS		
1.1 PTZ		
1.2 Dome		
1.3 Static/Box/Bullet		
2. ACCESS CONTROL		
2.1 Biometric Reader		
2.2 Colour Printer 4 in 1		
2.3 Computer (CPU, Monitor, Mouse and Keyboard)		
2.5 Security X-ray Machine		
2.6 Walk Through Scanner (metal detector)		
2.7 Safes		
2.8 Software		
2.9 Asset tagging system		
3. CONTROL ROOM LAYOUT AND DESIGN		
3.1 Monitors		
LCD		
LED		
3.2 NVRs		
NVR 16 channel		
NVR 32 channel		
NVR 64 channel		
POE switches 24		
POE switches 48		
3.3 Cable (CAT, 5e or 6)		
3.4 Satellite links ICASA certification and license		

3.5 Control Room Joystick/mouse		
3.6 Backup Power Supply		
UPS		
Embedded Battery		
KVAs		
3.7 Air-conditioning		
4. INTRUSION DETECTION		
4.1 PIR		
4.2 Panels		
4.3 Zones		
4.4 Sirens		
4.5 Backup Power		
4.6 Radio Transmitter		
4.6 Antenna		

LIST OF NELSON MANDELA BAY HEALTH FACILITIES

Name of Clinic	Clinic Address
Booyens Park clinic,	Booyens Park Drive, Booyens Park.
Central clinic,	6 Rose St. Central
Chatty clinic,	Bertram Rd Chatty
Du Preez Street CHC,	Du Preez Street Despatch
Edamini clinic,	1st Avenue, KwaNobuhle
Gelvandale clinic,	Cnr. Bell Rd & Springbok St
Govan Mbeki clinic,	cnr Govan Mbeki & Rohrich
Gustav Lamour clinic,	23 Loerie Rd, Dale view

Gqebera Clinic	cnr Heugh Rd & 8th Avenue
Helenvale clinic,	cnr. Kobus & Gail Rd
Isolomzi clinic,	Zimasa St, KwaNobuhle
Ikamvelihle,	Inkwekwezi Street. Motherwell
Joe Slovo clinic,	Mzwandile Street Joe Slovo
Kruisrivier clinic,	Kruisrvier St Uitenhage
Kwadwesi clinic,	Asrayi St. KwaDwesi.
Kwamagxaki clinic,	Mdoda St.Kwa Magxaki .
Kwazakhele Clinic,	Befile St.Kwa Zakhele .
Linton Grange clinic,	118 Salvia Cres Lntngrng PE
Lukhanyo clinic,	3 Cibra Mkhonto, Khayamnandi
Lunga Kobese clinic,	Kwazakhele Single Man Qtrs.
Malabar clinic,	cnr Saliehout Haworthia St Malabar
Masakhane clinic,	Nkanjeni Drive, Kuyga
Middle Street clinic,	132Canon street Kabah St.Uitenhage
Mission vale clinic,	Tromp Rd Missionvale
Max Madlingozi clinic	cnr Tshauka & Nkewana St.
NU2 clinic	Zamukulungisa St NU2 Mthrwll
Mabandla Clinic	75 Bantom Street,Kwanobuhle Area 9
NU 11 clinic,	Gotyiba St. Mother well
New Brighton clinic,	New Brighton Avenue
Nomangesi Jayiya clinic,	Tize & MqolombaSt. KwaNobuhle
Park Centre clinic,	Church St. Uitenhage
Rosedale CHC	Acacia Rd Rose Dale
Rock lands clinic,	M51 Rocklands Farm
Schauder clinic,	Highfield Rd.Schauder
Silvertown clinic,	Mondile St Uitenhage
Soweto clinic,	Mbanga St Zwide.
Thanduxolo clinic,	2 Amera st Steve Tshwete
Tshangana clinic,	Tshangana St New Brighton
Veeplaas clinic,	Kani St. Veeplaas
Wells Estate clinic,	cnr Styhotyholweni & Sinethemba

West End CHC,	Baubina Rd. West end
Zwide clinic,	Johnson Rd.Zwide
Algoa Park clinic,	Cnr St Leonard's & Chudleigh Rd
Kwazakhele CHC,	Mavuso Street.Kwa Zakhele
New Brighton CHC	CHC MatiRd
Motherwell CHC	
Leaticia Bam CHC	
PE Central CHC	
NU 8 Clinic	
Mabandla Rehab	
Korsten CHC	
Walmer 14 th Avenue Clinic	
Colchester Clinic	
Kwazakhele MOU	
NMB District Office	
HOSPITALS	
Uitenhage Prov. Hosp	
Elizabeth Donkin	
Jose Pearson TB	
Empilweni TB	
Orsmond TB	
Lilitha College	
FORENSIC PATHOLOGY	
Gelvandale Mortuary	
Uitenhage Holding Facility	
New Brighton Mortuary	
Mount Road Mortuary	
Graaf Reinet Motuary	
Middleburg Holding Facility	
Grahamstown Motuary	
Port Alfred Holding Facility	
Joubertina Holding Facility	

Part 5 – Schedule C
Declaration of Interest

DECLARATION OF INTEREST

1. Any legal person, including persons employed by the state¹, or persons having a kinship with persons employed by the state, including a blood relationship, may make an offer or offers in terms of this invitation to bid (includes an advertised competitive bid, a limited bid, a Bid or written price quotation). In view of possible allegations of favouritism, should the resulting bid, or part thereof, be awarded to persons employed by the state, or to persons connected with or related to them, it is required that the bidder or his/her authorised representative declare his/her position in relation to the evaluating/adjudicating authority where-

- the bidder is employed by the state; and/or
- the legal person on whose behalf the bidding document is signed, has a relationship with persons/a person who are/is involved in the evaluation and or adjudication of the bid(s), or where it is known that such a relationship exists between the person or persons for or on whose behalf the declarant acts and persons who are involved with the evaluation and or adjudication of the bid.

2. **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

2.1 Full Name of bidder or his or her representative:
.....

2.2 Identity Number:

2.3 Position occupied in the Company (director, trustee, shareholder², member):
.....

2.4 Registration number of company, enterprise, close corporation, partnership agreement or trust:
.....



2.5 Tax Reference Number:.....

2.6 VAT Registration Number:

2.6.1 The names of all directors / trustees / shareholders / members, their individual identity numbers, tax reference numbers and, if applicable, employee / PERSAL numbers must be indicated in paragraph 3 below.

¹“State” means –

- (a) any national or provincial department, national or provincial public entity or constitutional institution within the meaning of the Public Finance Management Act, 1999 (Act No. 1 of 1999);
- (b) any municipality or municipal entity;
- (c) provincial legislature;
- (d) national Assembly or the national Council of provinces; or
- (e) Parliament.

²“Shareholder” means a person who owns shares in the company and is actively involved in the management of the enterprise or business and exercises control over the enterprise.

2.7 Are you or any person connected with the bidder **YES / NO**
presently employed by the state?

2.7.1 If so, furnish the following particulars:

Name of person / director / trustee / shareholder/ member:

.....

Name of state institution at which you or the person
connected to the bidder is employed :

.....

Position occupied in the state institution:

.....

Any other particulars:

.....

2.7.2 If you are presently employed by the state, did you obtain the appropriate authority to undertake remunerative work outside employment in the public sector? **YES / NO**

2.7.2.1 If yes, did you attach proof of such authority to the bid document? **YES / NO**

(Note: Failure to submit proof of such authority, where applicable, may result in the disqualification of the bid.

2.7.2.2 If no, furnish reasons for non-submission of such proof:

.....

.....

.....

2.8 Did you or your spouse, or any of the company's directors / trustees / shareholders / members or their spouses conduct business with the state in the previous twelve months? **YES / NO**

2.8.1 If so, furnish particulars:

.....

.....

.....

2.9 Do you, or any person connected with the bidder, have any relationship (family, friend, other) with a person employed by the state and who may be involved with the evaluation and or adjudication of this bid? **YES / NO**

2.9.1 If so, furnish particulars.

.....

2.10 Are you, or any person connected with the bidder, **YES/NO**
 aware of any relationship (family, friend, other) between
 any other bidder and any person employed by the state
 who may be involved with the evaluation and or adjudication
 of this bid?

2.10.1 If so, furnish particulars.

.....

.....

2.11 Do you or any of the directors / trustees / shareholders / members **YES/NO**
 of the company have any interest in any other related companies
 whether or not they are bidding for this contract?

2.11.1 If so, furnish particulars:

.....

.....

3 Full details of directors / trustees / members / shareholders.

Full Name	Identity Number	Personal Income Tax Reference Number	State Number Number	Employee / Persal

4 DECLARATION

I, THE UNDERSIGNED (NAME).....

CERTIFY THAT THE INFORMATION FURNISHED IN PARAGRAPHS 2 and 3 ABOVE IS CORRECT.

I ACCEPT THAT THE STATE MAY REJECT THE BID OR ACT AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....

Signature

.....

Date

.....

Position

.....

Name of bidder

Declaration of Bidder's Past Supply Chain Management Practices

SBD 8

DECLARATION OF BIDDER'S PAST SUPPLY CHAIN MANAGEMENT PRACTICES

- 1 This Standard Bidding Document must form part of all bids invited.

- 2 It serves as a declaration to be used by institutions in ensuring that when goods and services are being procured, all reasonable steps are taken to combat the abuse of the supply chain management system.

- 3 The bid of any bidder may be disregarded if that bidder, or any of its directors have-
 - a. abused the institution's supply chain management system;
 - b. committed fraud or any other improper conduct in relation to such system; or
 - c. failed to perform on any previous contract.

- 4 **In order to give effect to the above, the following questionnaire must be completed and submitted with the bid.**

Item	Question	Yes	No
4.1	Is the bidder or any of its directors listed on the National Treasury's database as companies or persons prohibited from doing business with the public sector? (Companies or persons who are listed on this database were informed in writing of this restriction by the National Treasury after the audi alteram partem rule was applied).	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.1.1	If so, furnish particulars:		



4.2	Is the bidder or any of its directors listed on the Register for Tender Defaulters in terms of section 29 of the Prevention and Combating of Corrupt Activities Act (No 12 of 2004)? To access this Register enter the National Treasury's website, www.treasury.gov.za, click on the icon "Register for Tender Defaulters" or submit your written request for a hard copy of the Register to facsimile number (012) 3265445.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.2.1	If so, furnish particulars:		
4.3	Was the bidder or any of its directors convicted by a court of law (including a court outside of the Republic of South Africa) for fraud or corruption during the past five years?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.3.1	If so, furnish particulars:		
4.4	Was any contract between the bidder and any organ of state terminated during the past five years on account of failure to perform on or comply with the contract?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4.4.1	If so, furnish particulars:		

CERTIFICATION

I, THE UNDERSIGNED (FULL NAME).....

CERTIFY THAT THE INFORMATION FURNISHED ON THIS DECLARATION FORM IS TRUE AND CORRECT.

I ACCEPT THAT, IN ADDITION TO CANCELLATION OF A CONTRACT, ACTION MAY BE TAKEN AGAINST ME SHOULD THIS DECLARATION PROVE TO BE FALSE.

.....
Signature

.....
Position

.....
Date

.....
Name of Bidder

Part 5 – Schedule E

CERTIFICATE OF INDEPENDENT BID DETERMINATION

- 1 This Standard Bidding Document (SBD) must form part of all bids¹ invited.
- 2 Section 4 (1) (b) (iii) of the Competition Act No. 89 of 1998, as amended, prohibits an agreement between, or concerted practice by, firms, or a decision by an association of firms, if it is between parties in a horizontal relationship and if it involves collusive bidding (or bid rigging).² Collusive bidding is a *pe se* prohibition meaning that it cannot be justified under any grounds.
- 3 Treasury Regulation 16A9 prescribes that accounting officers and accounting authorities must take all reasonable steps to prevent abuse of the supply chain management system and authorizes accounting officers and accounting authorities to:
 - a. disregard the bid of any bidder if that bidder, or any of its directors have abused the institution's supply chain management system and or committed fraud or any other improper conduct in relation to such system.
 - b. cancel a contract awarded to a supplier of goods and services if the supplier committed any corrupt or fraudulent act during the bidding process or the execution of that contract.
- 4 This SBD serves as a certificate of declaration that would be used by institutions to ensure that, when bids are considered, reasonable steps are taken to prevent any form of bid-rigging.
- 5 In order to give effect to the above, the attached Certificate of Bid Determination (SBD 9) must be completed and submitted with the bid:

¹ Includes price quotations, advertised competitive bids, limited bids and Bids.

² Bid rigging (or collusive bidding) occurs when businesses, that would otherwise be expected to compete, secretly conspire to raise prices or lower the quality of goods and / or services for purchasers who wish to acquire goods and / or services through a bidding process. Bid rigging is, therefore, an agreement between competitors not to compete.

CERTIFICATE OF INDEPENDENT BID DETERMINATION

I, the undersigned, in submitting the accompanying bid:

(Bid Number and Description)

in response to the invitation for the bid made by:

(Name of Institution)

do hereby make the following statements that I certify to be true and complete in every respect:

I certify, on behalf of: _____ that:

(Name of Bidder)

1. I have read and I understand the contents of this Certificate;
2. I understand that the accompanying bid will be disqualified if this Certificate is found not to be true and complete in every respect;
3. I am authorized by the bidder to sign this Certificate, and to submit the accompanying bid, on behalf of the bidder;
4. Each person whose signature appears on the accompanying bid has been authorized by the bidder to determine the terms of, and to sign the bid, on behalf of the bidder;
5. For the purposes of this Certificate and the accompanying bid, I understand that the word "competitor" shall include any individual or organization, other than the bidder, whether or not affiliated with the bidder, who:
 - (a) has been requested to submit a bid in response to this bid invitation;
 - (b) could potentially submit a bid in response to this bid invitation, based on their qualifications, abilities or experience; and



provides the same goods and services as the bidder and/or is in the same line of business as the bidder

6. The bidder has arrived at the accompanying bid independently from, and without consultation, communication, agreement or arrangement with any competitor. However communication between partners in a joint venture or consortium³ will not be construed as collusive bidding.
7. In particular, without limiting the generality of paragraphs 6 above, there has been no consultation, communication, agreement or arrangement with any competitor regarding:
 - (a) prices;
 - (b) geographical area where product or service will be rendered (market allocation)
 - (c) methods, factors or formulas used to calculate prices;
 - (d) the intention or decision to submit or not to submit, a bid;
 - (e) the submission of a bid which does not meet the specifications and conditions of the bid; or
 - (f) bidding with the intention not to win the bid.
8. In addition, there have been no consultations, communications, agreements or arrangements with any competitor regarding the quality, quantity, specifications and conditions or delivery particulars of the products or services to which this bid invitation relates.
9. The terms of the accompanying bid have not been, and will not be, disclosed by the bidder, directly or indirectly, to any competitor, prior to the date and time of the official bid opening or of the awarding of the contract.

³ Joint venture or Consortium means an association of persons for the purpose of combining their expertise, property, capital, efforts, skill and knowledge in an activity for the execution of a contract.

10. I am aware that, in addition and without prejudice to any other remedy provided to combat any restrictive practices related to bids and contracts, bids that are suspicious will be reported to the Competition Commission for investigation and possible imposition of administrative penalties in terms of section 59 of the Competition Act No 89 of 1998 and or may be reported to the National Prosecuting Authority (NPA) for criminal investigation and or may be restricted from conducting business with the public sector for a period not exceeding ten (10) years in terms of the Prevention and Combating of Corrupt Activities Act No 12 of 2004 or any other applicable legislation.

.....
Signature

.....
Date

.....
Position

.....
Name of Bidder